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REMARKS

Claims 1-26 are currently pending in the subject application, and are presently under consideration. Favorable reconsideration of the application is requested in view of the comments herein.

I. Rejection of Claims 1-26 Under 35 U.S.C. §102(b)

Claims 1-26 stand rejected under 35 U.S.C. §102(b) as being anticipated by Meester, *et al.*, (U.S. Patent No. 5,686,359. Withdrawal of this rejection is respectfully requested for at least the following reasons. Meester *et al.* fails to disclose or suggest the subject invention as recited in the claims.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Independent claim 1 of the present invention recites "a feedback generator *adapted to accept sheet resistivity data* from the analyzing component and to produce a feedback information *operable to control the one or more RTA components*." Similarly, independent claim 20 recites a "method for *regulating* layer formation, comprising...generating feedback information...*operable to control* one or more RTA components...". Independent claim 24 recites a "*controlling means for selectively controlling the rapid thermal processing* means so as to *regulate layer formation*." Support for the present meaning of "control" and "regulate" as recited in the claims can be found in the specification at page 8, line 21, to page 10, line 12. The claimed invention thus discloses an *automated* system that is capable of varying parameters of the Rapid Thermal Annealing (RTA) component *during* an annealing process. Meester *et al.* fails to teach or disclose such aspects of the subject invention.

Contrary to the Examiner's assertion, any "feedback information" obtained from the algorithm described by Meester *et al.* is merely empirical data, the sole purpose of which is to facilitate *pre-selection* of an approximate "recipe" of temperature and duration of an RTA process for a given thickness of titanium film. (Col. 3, ll.38-40; Col. 5, ll. 17-23.) Meester *et al.* is *incapable* of

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taking corrective action, or "controlling," the RTA process *during* formation of the wafer as in the claimed invention.

Meester *et al.* merely establishes a relationship between ranges of time and temperature during an RTA process through trial and error, which "may be used to choose *an* operating temperature to achieve the sheet resistance for a given titanium thickness." (Col 5, ll. 21-23, emphasis added.) Inherent in the language "*an* operating temperature" is the restriction that the temperature chosen by a technician using the Meester system is invariable during the annealing process. Conversely, as shown above, the present invention is capable of "controlling" and "regulating" parameters of the RTA component *during* the RTA process. Meester *et al.* fails to recite such claimed aspect of the present invention.

In view of at least the above, it is respectfully submitted that the present invention as recited in independent claims 1, 20, and 24, and claims 2-9, 21-23, and 24-25, which depend respectively there from, is not anticipated or suggested by Meester *et al.* Accordingly, withdrawal of this rejection is respectfully requested.

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II. Conclusion

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event that any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should there be any questions regarding this paper, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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